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December 2, 2014

Via electronic filing

Honorable Clair C. Cecchi, U.S.D.J.
Martin Luther King Bldg.
50 Walnut Street, Courtroom 2B
Newark, New Jersey 07101

Re: *Jeffrey Rutledge v. Int'l Longshoremen's Assoc., AFL-CIO, et al.*
Civil Action No.: 2:14-cv-05589-CCC-MF

Dear Judge Cecchi:

As Your Honor is aware, my office represents Plaintiff Jeffrey Rutledge in the above-referenced civil action. There is presently pending a Motion to Dismiss Complaint, the notice for which was filed jointly on October 17, 2014 by John P. Sheridan, Esq., counsel for International Longshoremen's Association (ILA), AFL-CIO, ILA Local 1233, and Bernard Dudley (the union defendants); and by James R. Campbell, Esq., counsel for the New York Shipping Association, Inc., Maher Terminals, LLC, and Gerard Crotty (the employer defendants). The return date for this motion is now December 15, 2014.

Under L. Civ. R. 7.1(d)(5), opposition papers are to be filed "at least 14 days prior to the new motion day." Under the circumstances, this would have made our opposition brief due yesterday, December 1, 2014. Unfortunately, the attention of me and my associate have been drawn away by a critical and unexpected emergent matter in a separate case, just as my office has been suddenly un-expectantly understaffed.

Specifically, on November 25, 2014, an Emergent Motion for Leave to File an Interlocutory Appeal was filed by an intervener in *State In the Interest of John Does 1-7*, Superior Court Docket No. FJ-12-586-165-J, Appellate Docket No. F-000600-14, a juvenile delinquency proceeding. The object of that appeal, the vacation of a protective injunction granted on November 21, 2014, will have a profound impact on my juvenile client. In granting leave for the appeal, the Appellate Division gave a deadline of 2:00 pm, December 2, 2014, to file an opposition. Meanwhile, the other associate in my office, who was working on that case, notified me last week that he was facing a personal emergency and that he needed to absent himself from work starting November 24, 2014, the week of the Thanksgiving holiday.

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We therefore respectfully request an extension of time to file our opposition papers to the pending Motion to Dismiss.

My associate has spoken via telephone with Mr. James Campbell regarding this request, who in turn conferred with Mr. John Sheridan. Mr. Campbell conveys their consent, but asked that the return date be carried two cycles, to January 20, 2015. He also requests that our opposition papers be submitted by December 29, 2014, and that the deadline for a reply be set for January 16, 2015. I have no objections to these deadlines.

Therefore, pursuant to L. Civ. R. 7.1(d)(5), please accept this letter as my request for an adjournment of the motion to January 20, 2015. Please do not hesitate to contact me with any questions or concerns.

Very truly yours,
Law Office of Randy P. Davenport

By: Randy P. Davenport, Esq. /s/mt
RANDY P. DAVENPORT, ESQ.

RPD/mab

SO ORDERED

s/Claire C. Cecchi

Claire C. Cecchi, U.S.D.J.

Date:

12/3/2014